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BANK OF AMERICA, N.A. and BANK OF  
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OPERATIONS, INC.

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Attorneys for Plaintiff  
IP SOLUTIONS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(SAN JOSE DIVISION)

IP SOLUTIONS, INC., a Delaware  
corporation,

Plaintiff,

v.

BANK OF AMERICA, N.A., a National  
Banking Association Member; BANK OF  
AMERICA TECHNOLOGY AND  
OPERATIONS, INC., a Delaware  
corporation,

Defendants.

Case No. 07-CV-2774 (JF)

**STIPULATION AND [PROPOSED] ORDER  
CONTINUING THE PARTIES'  
CONFERENCE PURSUANT TO FED. R.  
CIV. PROC. 26(f)**

TO THE COURT, TO ALL PARTIES, AND TO THE PARTIES' ATTORNEYS OF  
RECORD:

1 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff, IP SOLUTIONS,  
 2 INC. ("Plaintiff"), and Defendants, BANK OF AMERICA, N.A. and BANK OF AMERICA  
 3 TECHNOLOGY AND OPERATIONS, INC. ("Defendants"), that the parties' conference pursuant  
 4 to Fed. R. Civ. Proc. 26(f), currently scheduled for August 10, 2007, be continued up to and until  
 5 August 17, 2007.

6 Currently pending before the Court is a Joint Stipulation and Proposed Order Continuing the  
 7 Initial Case Management Conference, filed by the parties on August 3, 2007. In this Stipulation, the  
 8 parties agreed that the Case Management Conference be continued by two (2) months from its  
 9 originally-scheduled date of August 29, 2007, up to and until October <sup>26</sup>29, 2007. The parties desire  
 10 to pursue settlement opportunities in this matter, and requested the continuance for the purpose of  
 11 obtaining additional time in which to organize, schedule, and conduct mediation efforts with local  
 12 JAMS mediators. A conference under Fed. R. Civ. Proc. 26(f) will not be necessary at this stage of  
 13 the proceedings if the Court grants the stipulated continuance. Therefore, the parties desire to  
 14 continue the 26(f) conference pending the Court's decision on the stipulated continuance.

15 This Stipulation is not entered into for purposes of delay, and will not alter the date of any  
 16 event or any deadline already fixed by Court order. By entering into this Stipulation, neither  
 17 Plaintiffs nor Defendants waive any rights, claims or defenses they may have in this action.

18 This Stipulation may be executed in counterparts and by facsimile signature, each of which,  
 19 when executed, shall be an original and all of which together shall constitute one and the same  
 20 stipulation. This Stipulation contains the entire agreement among the parties. The undersigned  
 21 hereby consent to the terms set forth in the foregoing Stipulation.

22 IT IS SO STIPULATED AND AGREED.

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1 Dated: August 10, 2007

FISH & RICHARDSON P.C.

2  
3 By: /s/ Christina D. Jordan

Christina D. Jordan

4 Attorneys for Defendants  
5 BANK OF AMERICA, N.A. and BANK OF  
6 AMERICA TECHNOLOGY AND  
7 OPERATIONS, INC.

8  
9 Dated: August 10, 2007

TRIAL AND TECHNOLOGY LAW GROUP

10  
11 By: /s/ Robert A. Spanner

12 Robert A. Spanner

13 Attorney for Plaintiff  
14 IP SOLUTIONS, INC.

15  
16 **DECLARATION OF CONSENT**

17 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty  
18 of perjury that concurrence in the filing of this document has been obtained from Robert A.  
19 Spanner.

20 Dated: August 10, 2007

FISH & RICHARDSON P.C.

21  
22 By: /s/ Christina D. Jordan

Christina D. Jordan

23 Attorneys for Defendants  
24 BANK OF AMERICA, N.A. and BANK OF  
25 AMERICA TECHNOLOGY AND  
26 OPERATIONS, INC.

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ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/27, 2007

  
\_\_\_\_\_  
HONORABLE JEREMY FOGEL  
JUDGE OF THE UNITED STATES DISTRICT COURT

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